

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE ) Chapter 7  
 )  
ALVIN BYRD, ) Case No. 05 B 20156  
 )  
Debtor. ) Hon. Jacqueline P. Cox

**NOTICE OF MOTION**

TO: Attached Service List

**PLEASE TAKE NOTICE THAT** on November 13, 2007, at 9:30 a.m., I shall appear before the Honorable Judge Jacqueline P. Cox, or any other judge sitting in her stead, in Room 619, 219 South Dearborn Street, Chicago, Illinois, and request a hearing on the Chapter 7 Trustee's Attorneys' Application For Final Compensation And Reimbursement Of Costs, a copy of which is attached hereto and hereby served upon you.

**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, hereby state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, I caused a copy of the foregoing NOTICE OF MOTION and MOTION to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same in an envelope properly addressed and with postage fully prepaid and by depositing same in the U.S. Mail, Chicago, Illinois on the 19<sup>th</sup> day of October, 2007.

\_\_\_\_\_  
/s/ Gregory K. Stern  
\_\_\_\_\_  
Gregory K. Stern

Gregory K. Stern, P.C.  
Gregory K. Stern (Atty. ID #6183380)  
Monica C. O'Brien (Atty. ID #6216626)  
53 West Jackson Boulevard  
Suite 1442  
Chicago, Illinois 60604  
(312) 427-1558

## SERVICE LIST

### **Registrants Served Through The Court's Electronic Notice For Registrants**

Barry A. Chatz, Esq., Chapter 7 Trustee  
120 South Riverside Plaza  
Suite 1200  
Chicago, Illinois 60606-3910

John E. Gierum, Esq.  
9700 West Higgins Road  
Suite 1015  
Rosemont, Illinois 60018

William T. Neary, United States Trustee  
227 West Monroe Street  
Suite 3350  
Chicago, Illinois 60606

### **Parties Service By US Mail**

Alvin B. Byrd  
6602 South Justine Street  
Chicago, Illinois 60636-2810

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**TRUSTEE'S ATTORNEYS' APPLICATION FOR  
FINAL COMPENSATION AND REIMBURSMENT OF COSTS**

Now Comes Monica C. O'Brien and Gregory K. Stern of Gregory K. Stern, P.C. ("Counsel"), counsel for Barry Chatz, Chapter 7 Trustee, pursuant to §§330 and 331 of the United States Bankruptcy Code, and request that this Court enter an order allowing final compensation of \$14,183.70 for 43.13 hours of legal services provided to the Chapter 7 Trustee and \$534.97 for reimbursement of costs, and in support thereof, state as follows:

1. On May 19, 2005, the Debtor caused a Voluntary Petition under Chapter 7 of the United States Bankruptcy Code to be filed; on or about December 1, 2005, the Debtor's Chapter 7 case was converted to a case under Chapter 13; and, on April 10, 2006, the Debtor's Chapter 13 case was converted to a case under Chapter 7 and Barry A. Chatz was appointed as trustee in this case.
2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §157; and, this is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A).
3. In accordance with Bankruptcy Rule 2002, notice of this Application has been sent to all creditors and parties on the service list including the US Trustee and all parties in interest.
4. On August 24, 2005, the Court entered an Order authorizing the employment of Gregory K. Stern and Monica C. O'Brien as attorneys for the Trustee with all compensation and reimbursement of costs and expenses being subject to approval of this Court.
5. At all times relevant hereto, Gregory K. Stern's services have been billed at the hourly rate of \$335.00 for services rendered prior to September 1, 2006, and \$350.00 for services rendered

thereafter, and Monica C. O'Brien's services have been billed at the hourly rate of \$280.00 for services rendered prior to September 1, 2006, and \$300.00 for services rendered thereafter.

6. On December 21, 2006, Counsel presented their First Application For Interim Compensation And Reimbursement Of Costs and Authorization To Pay Allowed Administrative Claim (Docket No. 71) seeking compensation of \$11,023.20 for 34.10 hours of professional services rendered between December 29, 2005 and November 30, 2006, and reimbursement of costs in the amount of \$499.97 and, on December 21, 2006, an Order Allowing Trustee's Attorneys' Compensation, Reimbursement Of Costs And Authorization To Pay Administrative Claim (the "Order") (Docket No. 76) was entered allowing compensation and reimbursement of costs in the total amount of \$11,523.17.

7. Counsel have expended an additional 9.03 hours of professional services between December 4, 2006 and October 18, 2007, as are more fully set forth in the Time Sheets attached hereto and made a part hereof. The reasonable value of the professional services rendered to the Trustee and set forth on the Time Sheets is \$3,160.50. Counsel have expended \$35.00 for costs that are set forth on the Time Sheets and for which reimbursement is sought.

8. The additional professional services rendered from December 4, 2006 through October 18, 2007, have been separated into two (2) service categories, which have been separated and identified solely for the purposes of summarizing with specificity the services rendered on behalf of the Trustee and for the benefit of the estate. These service categories and the professional time spent within each category are as follows:

<b>SERVICE CATEGORY</b>	<b>HOURS</b>
A. Case Administration	3.84
B. Real Property Interests Disposition	5.19
<b>TOTAL:</b>	<b>9.03</b>

9. The professional services were rendered within the service categories are as follows:

**A. Case Administration:** This service category involved 2.09 hours of services that included: **1)** Reviewing Court's Claim Register, Proof(s) of Claim, updating Summary of Claims, communications with US Bank re amending proof of claim, and communications with Trustee re same; **2)** Drafting Application for Final Compensation and Reimbursement of Costs, Time Sheets, Notices and Orders; **3)** Court appearance; and, **4)** General case administration matters.

**B. Real Property Disposition:** This service category involved 5.19 hours of services that included **1)** Communications with parties concerning closing sale of real property; **2)** Preparing for and closing sale of real property.

10. All of the professional services performed were actual and necessary for the proper representation of the Trustee; and, as such, all of the services rendered were authorized pursuant to the Court's August 24, 2005 Order Authorizing Employment Of Attorneys and benefited the estate resulting in payment to the estate of \$45,510.80 from proceeds of the sale of estate property and will result in a substantial dividend to claimants.

**WHEREFORE**, Monica C. O'Brien and Gregory K. Stern pray for entry of an Order, pursuant to §§330 and 331 of the Bankruptcy Code, allowing final compensation of \$14,183.70 and reimbursement of costs and expenses of \$534.97, authorizing the Trustee to pay the unpaid balance of allowed final compensation and reimbursement of costs of \$3,195.50 to Gregory K. Stern, P.C. and, for such other relief as this Court deems just.

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/s/ Gregory K. Stern  
Gregory K. Stern, Esq.

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